



DECLARATION

As a below named inventor, I declare that

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SEQUENCING BY HYBRIDIZATION ON HIGH DENSITY PROBE ARRAYS: ENZYMATIC DISCRIMINATION ENHANCEMENT** the specification of which is attached hereto or x was filed on October 21, 1994 as Application Serial No. 08/327,522 and was amended on (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u> </u> No <u> </u>
			Yes <u> </u> No <u> </u>

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing	Status
		<u> </u> Patented <u> </u> Pending <u> </u> Abandoned
		<u> </u> Patented <u> </u> Pending <u> </u> Abandoned

Full Name of Inventor 1	Last Name LOCKHART <i>1-W</i>	First Name David	Middle Name or Initial J.	
Residence & Citizenship	City Santa Clara	State/Foreign Country California <i>Ca</i>	Country of Citizenship USA	
Post Office Address	Post Office Address 480 Oakgrove Drive #205	City Santa Clara	State/Country California	Zip Code 95054
Full Name of Inventor 2	Last Name CHEE <i>2-W</i>	First Name Mark	Middle Name or Initial S.	
Residence & Citizenship	City Palo Alto	State/Foreign Country California <i>Ca</i>	Country of Citizenship New Zealand	
Post Office Address	Post Office Address 3199 Waverly Street	City Palo Alto	State/Country California	Zip Code 94306
Full Name of Inventor 3	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 <i>David J. Lockhart</i> David J. Lockhart	Signature of Inventor 2 <i>Mark S. Chee</i> Mark S. Chee	Signature of Inventor 3
Date <i>1/25/95</i>	Date <i>1/25/95</i>	Date

POWER OF ATTORNEY BY ASSIGNEE

Affymax Technologies N.V. is the Assignee of the invention entitled: SEQUENCING BY HYBRIDIZATION ON HIGH DENSITY PROBE ARRAYS: ENZYMATIC DISCRIMINATION ENHANCEMENT, the specification of which is attached hereto or x was filed on October 21, 1994 as Application Serial No. 08/327,522.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Vernon A. Norviel, Reg. No. 32,483
Eugenia Garrett-Wackowski, Reg. No. 37,330

Send Correspondence to:

Eugenia Garrett-Wackowski
TOWNSEND and TOWNSEND KHOURIE and CREW
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Steuart Street Tower, 20th Floor
San Francisco, CA 94105

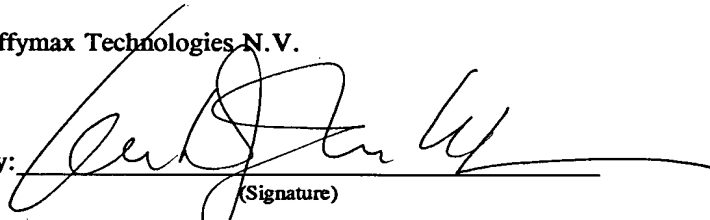
Direct Telephone Calls to:
(Name, reg. no., tele. no.)

Eugenia Garrett-Wackowski
Reg. No. 37,330
(415) 543-9600

Affymax Technologies N.V.

Date: 21 Feb 1995

By:


(Signature)

Name: Kenneth J. Nussbacher
Title: Executive V.P., Business & Legal Affairs

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: David J. Lockhart, et al.

Application No.: 08/327,522 Filed: October 21, 1994

For: SEQUENCING BY HYBRIDIZATION ON HIGH DENSITY PROBE ARRAYS: ENZYMATIC DISCRIMINATION ENHANCEMENT

Affymax Technologies N.V., a Netherlands Antilles corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame(s) _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : 21 Feb 1995

Name : Kenneth J. Nussbacher

Title : Exec. V.P., Business & Legal Affairs

Signature : 

Attachment To Certificate

Attorney Docket No. 16528X-86
Affymax Reference No. 1079

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, David J. Lockhart of 480 Oakgrove Drive #205, Santa Clara, California 95054, and Mark S. Chee of 3199 Waverly Street, Palo Alto, California 94306, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **SEQUENCING BY HYBRIDIZATION ON HIGH DENSITY PROBE ARRAYS: ENZYMATIC DISCRIMINATION ENHANCEMENT**

Date(s) of execution of Declaration: 1/25/95

Filing date: October 21, 1994 Serial No.: 08/327,522; and

WHEREAS, Affymax Technologies N.V., a Netherland Antilles corporation, located at De Ruyderkade 62, Curacao, Netherlands Antilles, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the

Not for Recordation

invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 1/25/95

David J. Lockhart
David J. Lockhart

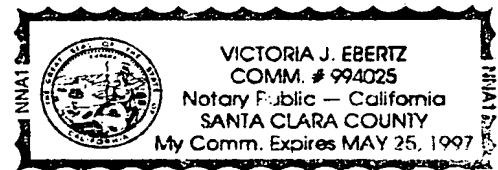
STATE OF CALIFORNIA

COUNTY OF Santa Clara

On 25 JANUARY 1995, before me, Victoria J. Ebertz, Notary Public (here insert name and title of the officer), personally appeared **David J. Lockhart**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Victoria J. Ebertz (Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

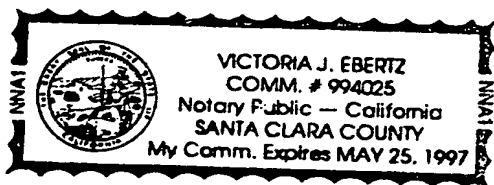
State of CALIFORNIA

County of SANTA CLARA

On 25 JANUARY, 1995 before me, VICTORIA J. EBERTZ, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared DAVID J. LOCKHART
NAME(S) OF SIGNER(S)

☒ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Victoria J. Ebertz
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

ASSIGNMENT OF PATENT APPLICATION
TITLE OR TYPE OF DOCUMENT

Three
NUMBER OF PAGES

25 JANUARY 1995
DATE OF DOCUMENT

MARK S. CHEE
SIGNER(S) OTHER THAN NAMED ABOVE.

Date: 25 Jan 95

Mark S. Chee
Mark S. Chee

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On 25 JANUARY 1995, before me, VICTORIA J. EBERTZ, Notary Public (here insert name and title of the officer), personally appeared **Mark S. Chee**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Victoria J. Ebertz (Seal)



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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

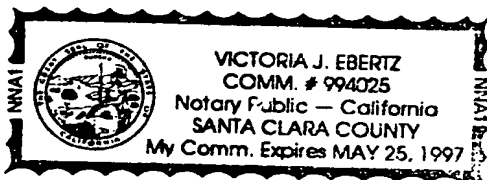
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On 25 JANUARY 1995 before me, VICTORIA J. EBERTZ, Notary Public,
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared MARK S. CHEE,
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

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- ☐ PARTNER(S) ☐ LIMITED
☐ ATTORNEY-IN-FACT ☐ GENERAL
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

ASSIGNMENT OF PATENT APPLICATION
TITLE OR TYPE OF DOCUMENT

THREE
NUMBER OF PAGES

25 JANUARY 1995
DATE OF DOCUMENT

DAVID J. LOCKHART
SIGNER(S) OTHER THAN NAMED ABOVE